

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

JOHN M. J. MADEY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:97CV01170
)	
DUKE UNIVERSITY,)	
)	
Defendant.)	
)	

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the Plaintiff John M.J. Madey and Defendant Duke University hereby stipulate to dismissal with prejudice of all counts of Plaintiff's First Amended and Supplemental Complaint and Defendant's Second Amended Answer and Counterclaims in this action. This stipulated dismissal is based on the compromise and settlement of the parties. Each party will bear its own costs and fees.

This the 19th day of September, 2006.

By: /s/ Randall M. Roden
Randall M. Roden
N.C. State Bar No. 7287
Tharrington Smith LLP
209 Fayetteville Street Mall
Raleigh, NC 27602
Tel.: (919) 821-4711
Fax: (919) 829-1583
Email: rroden@tharringtonsmith.com

Attorney for John M.J. Madey

By: /s/ John M. Simpson
John M. Simpson
N.C. State Bar No. 15682
Fulbright & Jaworski LLP
801 Pennsylvania Avenue NW
Washington, DC 20004
Tel.: (202) 662-0200
Fax: (202) 662-4643
Email: jsimpson@fulbright.com

Attorney for Duke University

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2006, I electronically filed the foregoing Stipulation of Dismissal with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Randall Roden and James Lester, attorneys for Plaintiff John Madey.

/s/ John M. Simpson
John M. Simpson
N.C. Bar No. 15682
Fulbright & Jaworski L.L.P.
801 Pennsylvania Avenue NW
Washington, DC 20004
Telephone: (202) 662-4753
Facsimile: (202) 662-4643
Email: jsimpson@fulbright.com